

**ELK TOWNSHIP COMMITTEE  
WORK SESSION MINUTES  
JANUARY 18, 2011**

The work session of the Elk Township Committee was held on the above date in the Municipal Building. The meeting was called to order by Mayor Barbaro at 7:35PM.

The Open Public Meeting Notice was read.  
The Salute to the Flag was recited.

**ROLL CALL:** Present were: Mr. Pantaleo, Mrs. Sammons, Mr. Swanson, Mayor Barbaro, Mr. Considine, CFO, Mrs. Pine, Township Clerk and Mr. Alexander, Supt. Public Works. Mr. Rainey was absent.

**APPROVAL OF MINUTES:**

Motion by Mr. Pantaleo, seconded by Mr. Swanson to approve the minutes of December 21, 2010 Work Session, December 29, 2010 Closeout, January 6, 2011 Reorganization, all were in favor motion carried.

**ORDINANCE:**

**O-1-2011** – Ordinance Creating a New Chapter 30A of the Code of the Township of Elk Entitled "Qualified Purchasing Agent" - Title Only

Mr. Considine explained municipalities are graded by the state at the end of the year and a municipality that has a QPA receives a higher score. It also raises the quote and bid amounts of the municipality. This does not authorize the QPA to spend the money. All money will need to be approved by committee.

Motion by Mr. Pantaleo, seconded by Mrs. Sammons to approve Ordinance O-1-2011, upon roll call motion carried.

**RESOLUTIONS:**

**R-27-2011** – Resolution Approving the Improvement Bond Estimate and Authorizing Performance Guarantees, Cash Bonds and Inspection Escrow for TLT, L.L.C. for Site Work and Other Improvements Affecting the Parcel Known as Block 11, Lot 5 on the Official Tax map of Elk Township, Gloucester County, New Jersey Planning Board Resolution No. 2010-24

Motion by Mr. Pantaleo, seconded by Mr. Swanson to adopt and approve said resolution, upon roll call motion carried.

Roll Call:	Mr. Pantaleo	Yes
	Mrs. Sammons	Yes
	Mr. Swanson	Yes
	Mayor Barbaro	Yes

**R-28-2011** – Resolution Approving Form of Performance Guarantee Submitted for Approval for a Project by TLT, L.L.C. Affecting the Parcel Known as Block 11, Lot 5 on the Official Tax map of Elk Township, Gloucester County, New Jersey Planning Board Resolution No. 2010-24

Motion by Mr. Swanson, seconded by Mr. Pantaleo to adopt and approve said resolution upon roll call motion carried.

Roll Call:	Mr. Pantaleo	Yes
	Mrs. Sammons	Yes
	Mr. Swanson	Yes
	Mayor Barbaro	Yes

**R-29-2011** – Resolution Commemorating the Gloucester, Salem, Cumberland Counties Municipal Joint Insurance Fund's 20<sup>th</sup> Anniversary

Motion by Mrs. Sammons, seconded by Mr. Swanson to adopt and approve said resolution, all were in favor motion carried.

**TOPICS**

Mayor Barbaro told committee he met with Delsea Supt. Mr. Borelli and Elk Township Board of Education President, Mr. Pearson and they are willing to support the townships website if it is needed.

Mr. Alexander has been contacted by the Borough of Clayton and the Township of Monroe about the brine truck he has put together.

Monroe would like to do a test road and Clayton would like to possibly do a shared service. This is just in the discussion stage at this point. The brine can be spread up to 5 days in advance of a snow event. It keeps the snow from adhering to the road ways. Committee is open to the idea and is willing to listen.

Mr. Pantaleo stated Millstone Way is not be cleared by the developer. The residents see the township trucks go down the road without plowing to get back to Grindstone Way, a township road, to plow. Mr. Alexander stated Millstone Way is not a township road to date. There is a chain of command that needs to be followed to have the road plowed. The residents need to contact the police, if it is a safety issue, and they will then contact the developer. The developer needs to be given the opportunity to correct the situation. The township cannot go down the road and plow. The township cannot do anything to the road until it is turned over.

Mr. Pantaleo asked if there has been any progress with the moving of the tractor trailers. The police have given the vehicle owners until the end of January to remove them.

Mr. Pantaleo would like to have the topic of solar on the municipal building placed on the February 3<sup>rd</sup> agenda.

#### **PUBLIC PORTION:**

Motion by Mr. Swanson to open the meeting to the public, seconded by Mr. Pantaleo, all were in favor, motion carried.

Mayor Barbaro asked if anyone had any issues they would like to bring to the township committees attention to come forward at this time.

Fred Boeckle, Ferrell Fire Department, would like to know if there is any word on the light at CR538 and SR77(Bridgeton Pike). There was another serious crash at the intersection. The state is responsible for the light and there has not been any correspondence since July of 2010.

Pat Spring, 945 Elk Road, asked what the weight limit is for the parking of commercial vehicles in the township. The ordinance allows for 1 vehicle not to exceed 1 ton with commercial tags to be parked over night in the residential zone. The police department is working on the issue and hope to have it resolved by the end of the month.

Ed Pearson, 1448 Ferrell Road, feels the ordinance needs to be enforced concerning the parking of commercial vehicles.

Pat Spring, asked if there is any movement with the 911 committee. Mr. Swanson will look into having meetings again on the first Wednesday of the month at 7:30pm in the municipal building.

Motion by Mr. Pantaleo to close the public portion, seconded by Mayor Barbaro, all were in favor, motion carried.

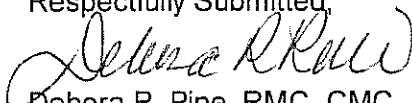
#### **PAY BILLS:**

Motion by Mr. Pantaleo to Pay the Bills, seconded by Mrs. Sammons, upon roll call motion was carried.

Roll Call:	Mr. Pantaleo	Yes
	Mrs. Sammons	Yes
	Mr. Swanson	Yes
	Mayor Barbaro	Yes

Motion by Mr. Swanson to adjourn, seconded by Mr. Pantaleo, all were in favor, the meeting was adjourned at 8:16 PM.

Respectfully Submitted,

  
Debora R. Pine, RMC, CMC  
Township Clerk

**RESOLUTION R-27-2011**

**RESOLUTION OF THE MAYOR AND COMMITTEE OF THE TOWNSHIP OF ELK APPROVING THE  
IMPROVEMENT BOND ESTIMATE AND AUTHORIZING PERFORMANCE GUARANTEES, CASH BONDS  
AND INSPECTION ESCROW FOR TLT, L.L.C. FOR SITE WORK AND OTHER IMPROVEMENTS  
AFFECTING THE PARCEL KNOWN AS BLOCK 11, LOT 5  
N THE OFFICIAL TAX MAP OF ELK TOWNSHIP, GLOUCESTER COUNTY, NEW JERSEY  
PLANNING BOARD RESOLUTION NO. 2010-24**

**WHEREAS**, the Elk Township Planning Board granted variances and minor site plan approvals for a project by the Applicant, TLT, L.L.C., for Block 11, Lot 5 on the Official Elk Township Tax Map; and

**WHEREAS**, the Planning Board Engineer has provided an Improvement Cost Estimate dated November 10, 2010 for the proposed improvements and calculated engineering escrow fees for the related work and improvements; and

**WHEREAS**, the Elk Township Planning Board Engineer has estimated that a Performance Guarantee in the amount of \$142,716.00 is required to secure the satisfactory installation of those improvements as reflected in its Improvement Cost Estimate dated November 10, 2010 (consisting of 2 pages), attached hereto as Exhibit "A"; and

**WHEREAS**, the Planning Board Engineer, in its letter dated November 10, 2010 to the Township Clerk, attached hereto as "Exhibit A", recommends that the Applicant provide certain bond and escrow amounts for the site improvements and engineering escrow fees as follows:

A.	Performance Bond Amount	\$128,444.40
B.	Cash Bond Amount (10% of Performance Guarantee)	\$ 14,271.60
C.	Escrow Amount	\$ 5,946.50

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Elk as follows:

1. The Improvement Bond Estimate and escrow fees described herein are hereby approved and accepted, and the Township Clerk may hereby accept said inspection escrow and place same on account for the Applicant.

2. The said applicant shall post the required Performance Guarantees and inspection escrow as set forth above, and as set forth in the Planning Board Engineer's letter dated November 10, 2010, attached hereto as "Exhibit A".

3. The Performance Guarantees shall be in the amounts set forth above in the form of an Irrevocable Standby Letter of Credit (Performance) as required by N.J.A.C. 5:36-4.3 issued by a financial institution licensed to do business in New Jersey by the State of New Jersey, Department of Banking and Insurance, or a Performance Surety Bond as required by N.J.A.C. 5:36-4.1, issued by an approved surety company listed with the State of New Jersey, Department of Banking and Insurance.

4. The approval granted herein is given and relies upon all representations made by the Applicant, including drawing, plans and other application materials filed in connection with this Applicant and those items specifically referred to upon receiving final approval by the Elk Township Planning Board. Should said representations and/or supporting documents by the Applicant prove erroneous, inaccurate, or otherwise misleading, the Township Committee reserves the right to revoke the approval granted herein and direct the Construction Official of Elk Township to issue stop work orders until such time as new, adequate Performance

Guarantees are submitted to and approved by Committee after review by the Elk Township Planning Board Engineer and the Township Attorney.


5. The approval granted herein is further subject to and contingent upon the Applicant obtaining all necessary approvals from any governmental or other entity from whom approval is necessary for the development of the subdivision. No construction permits shall be issued until the Applicant delivers to the Construction Official of Elk Township a written list of approvals required by this paragraph. This list shall describe the nature of the approval required, from what Agency the approval is required and whether said approval has been obtained or an application is pending. Certified copies of approval obtained shall be attached to the list. In the event that approvals required in this paragraph have not been obtained, the Construction Official shall not issue any construction permits for the aforesaid project until such approvals have been obtained and certified copies of the approval delivered to Construction Official who shall attach said approvals to the list provided by the Applicant. In the event it is determined that approvals required pursuant to this paragraph were not listed or not obtained by the Applicant, upon determining the need for said approvals, the Construction Official is hereby authorized to issue stop work orders until said necessary approvals have been obtained and certified copies delivered to the Construction Official as an accurate and comprehensive representation of those approvals.

6. The Township Clerk is hereby directed to forward a certified copy of this Resolution to the Applicant, the Elk Township Planning Board, the Elk Township Engineer, the Elk Township Treasurer and the Elk Township Construction Official.

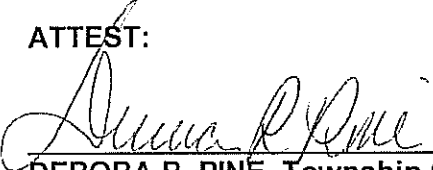
**ADOPTED** at a regular meeting of the Elk Township Committee held on January 18, 2011.

**TOWNSHIP OF ELK**

BY:

  
**PHILIP A. BARBARO, JR., Mayor**

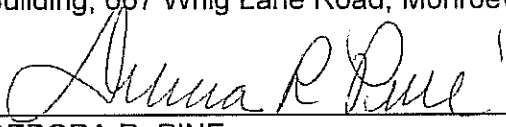
ATTEST:

  
**DEBORA R. PINE, Township Clerk**

Motion	Second		
	Yes	No	Abstain
Pantaleo	✓		
Rainey	-	Absent	
Sammons	✓		
Swanson	✓		
Barbaro	✓		

#### CERTIFICATION

I hereby certify that the above resolution is a true copy of a resolution adopted by the Township Committee of the Township of Elk, County of Gloucester, State of New Jersey, at a meeting held by the same on January 18, 2011 in the Elk Township Municipal Building, 667 Whig Lane Road, Monroeville, New Jersey.

  
**DEBORA R. PINE**  
Township Clerk

## **RESOLUTION R-28-2011**

### **RESOLUTION OF THE MAYOR AND COMMITTEE OF THE TOWNSHIP OF ELK APPROVING FORM OF PERFORMANCE GUARANTEE SUBMITTED FOR APPROVAL FOR A PROJECT BY TLT, L.L.C. AFFECTING THE PARCEL KNOWN AS BLOCK 11, LOT 5 ON THE OFFICIAL TAX MAP OF ELK TOWNSHIP, GLOUCESTER COUNTY, NEW JERSEY, PLANNING BOARD RESOLUTION NO. 2010-24**

**WHEREAS**, via Resolution R-27-2011, the Elk Township Committee approved the Performance Guarantee amounts and Inspection Escrow amounts upon the Township's Engineer recommendation for TLT, L.L.C. affecting the parcel known as Block 11, Lot 5 on the official Tax Map of the Township of Elk; and

**WHEREAS**, the Applicant has submitted Performance Surety Bond No. S00636 dated December 15, 2010 in the amount of \$128,444.40 issued by First Indemnity of America Insurance Company, as surety; and

**WHEREAS**, the Elk Township Solicitor has reviewed the form of Performance Surety Bond which has been submitted by the Applicant, and has approved the amount and form of said Performance Surety Bond; and

**WHEREAS**, the Elk Township Committee has reviewed the aforesaid opinion of the Township Solicitor and, based upon the opinion of the Township Solicitor, has determined that the submitted form of the Performance Surety Bond is acceptable.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Committee of the Township of Elk, Gloucester County, New Jersey, as follows:

1. The form of Performance Surety Bond No. S00636 dated December 15, 2010 issued by First Indemnity of America Insurance Company is hereby approved, and the Township Clerk may accept said Performance Surety Bond upon receipt of the original documents.
2. When the balance of the initial escrow amount deposited by the applicant for inspection fees drops to 10% of the total inspection fee amount, the developer shall make additional deposits of 25% of the total inspection fee estimate. The Township Engineer shall not perform any inspection if sufficient funds to pay for those inspections are not on deposit with the Treasurer.
3. The approval granted herein is given in reliance upon all representations made by the Applicant, including drawings, plans and other materials filed in connection with this application, and those items specifically referred to and/or incorporated in all Resolution(s) adopted by the Elk Township Committee relating to the Applicant's project.
4. The Township Clerk is directed to forward a certified copy of this Resolution to the Applicant, the Elk Township Engineer and the Elk Township Treasurer.

**ADOPTED** at a regular meeting of the Elk Township Committee held on January 18, 2011.

**TOWNSHIP OF ELK**

BY:

  
**PHILIP A. BARBARO, JR., Mayor**

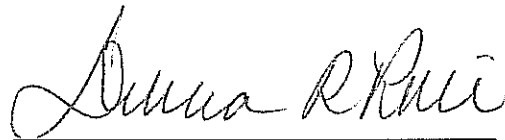
**ATTEST:**

  
**DEBORA R. PINE, Township Clerk**

Motion	Second		
	Yes	No	Abstain
Pantaleo	✓		
Rainey	— Absent —		
Sammons	✓		
Swanson	✓		
Barbaro	✓		

**CERTIFICATION**

I hereby certify that the above resolution is a true copy of a resolution adopted by the Township Committee of the Township of Elk, County of Gloucester, State of New Jersey, at a meeting held by the same on January 18, 2011 in the Elk Township Municipal Building, 667 Whig Lane Road, Monroeville, New Jersey.



**DEBORA R. PINE**  
Township Clerk

**A RESOLUTION COMMEMORATING THE GLOUCESTER, SALEM, CUMBERLAND COUNTIES MUNICIPAL  
JOINT INSURANCE FUND'S  
20<sup>TH</sup> ANNIVERSARY**

**WHEREAS**, the Gloucester, Salem, Cumberland Counties Municipal Joint Insurance Fund has been organized pursuant to N.J.S.A. 40A:10-36 et seq., and

**WHEREAS**, the Township of Elk is a member of the Gloucester, Salem, Cumberland Counties Municipal Joint Insurance Fund; and

**WHEREAS**, the Gloucester, Salem, Cumberland Counties Municipal Joint Insurance Fund commenced operations on January 1, 1991 with nine charter members who, when challenged with an unfavorable market for their insurance, decided to join together to avoid the high costs and limited coverage associated with traditional insurance for fire and property, liability and workers compensation risks; and

**WHEREAS**, over the past 20 years the Fund has grown to 35 members and stands today as the greatest example of an inter-local service agreement in the State of New Jersey's history; and

**WHEREAS**, municipalities participating in the TRICOJIF have saved their local taxpayers millions of dollars in the form of lower premiums and the return of nearly \$8.2 million dollars in surplus distributions; and

**WHEREAS**, the municipal employees covered by the Gloucester, Salem, Cumberland Counties Municipal Joint Insurance Fund are the foundation of the Fund's success and without whose dedication to the Fund Safety and Risk Management programs the Fund would not have achieved the status it enjoys today; and

**WHEREAS**, the Mayor and Township Committee of the Township of Elk wishes to recognize and commemorate the Fund on its 20<sup>th</sup> year of successful operation.


**NOW, THEREFORE, BE IT RESOLVED**, by the Township of Elk assembled in a public session on Tuesday, January 18, 2011, that this body does hereby recognize and commemorate 2011 as the 20<sup>th</sup> year of the successful operation of the Gloucester, Salem, Cumberland Counties Municipal Joint Insurance Fund; and

**BE IT FURTHER RESOLVED** that the Mayor and Township Committee of the Township of Elk wishes to acknowledge this 20<sup>th</sup> Anniversary as a milestone event for the operation of the Fund and wishes the Fund continued success for many years to come; and


**BE IT FURTHER RESOLVED**, that a copy of this Resolution shall be provided to the Executive Director of the Gloucester, Salem, Cumberland Counties Municipal Joint Insurance Fund for their information and distribution to the membership.

**ADOPTED** by the Township Committee of the Township of Elk at a public meeting held on January 18, 2011.

**TOWNSHIP OF ELK**

  
Philip A. Barbaro, Jr., Mayor

**ATTEST:**

  
Debora R. Pine, Township Clerk

Motion	Second		
	Yes	No	Abstain
Pantaleo	✓		
Rainey	— Absent —		
Sammons	✓		
Swanson	✓		
Barbaro	✓		

